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LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YUMA

In the Matter of:

**REVISION OF CALENDAR
ASSIGNMENTS AND REVISION OF
CASE ASSIGNMENTS FOR THE
SUPERIOR COURT IN YUMA
COUNTY, ARIZONA AS OF
APRIL 1, 2012,**

Administrative Order

2012-04

This Administrative Order supersedes and takes the place of Administrative Order 2011-21.

The Superior Court in Yuma County wants to maintain its effective caseload management system. Case disposition statistics and best practices dictate that in order for the courts to maintain effective disposition of felonies, and to effect timely disposition of all other cases, that assignment of criminal, civil, domestic relations, juvenile, guardianship and conservatorship, probate, mental health, adoption, and other proceedings among the different Divisions/Commissioners of the Yuma County Superior Court be changed consistent with this Administrative Order.

IT IS THEREFORE ORDERED, effective April 1, 2012, and until further order of the Presiding Judge, assignments continue to be made for the Judges and Commissioners of the Yuma County Superior Court as set forth below:

- (1) Mark Wayne Reeves shall remain assigned to Division One;
- (2) John Paul Plante shall remain assigned to Division Two;
- (3) Larry Kenworthy shall remain assigned to Division Three;
- (4) David M. Haws, shall remain assigned to Division Four;
- (5) John N. Nelson shall remain assigned to Division Five;
- (6) Maria Elena Cruz shall remain assigned to Division Six;
- (7) Kathryn Stocking-Tate shall remain assigned as Commissioner One;
- (8) Denise D. Gaumont shall remain assigned as Commissioner Two; and
- (9) Lisa W. Bleich shall remain assigned as Commissioner Three.

IT IS ORDERED effective April 1, 2012, and until further order of the Presiding Judge, the **CRIMINAL CASE** assignments shall be as follows:

- (1) All criminal cases currently assigned to the Honorable Mark Wayne Reeves, Division One, shall be reassigned to the Honorable Denise D. Gaumont, Commissioner Two.
- (2) All criminal cases currently assigned to the Honorable Larry Kenworthy, Division Three, shall continue to be assigned to the Honorable Larry Kenworthy, Division Three.
- (3) All criminal cases currently assigned to the Honorable David M. Haws, Division Four, shall continue to be assigned to the Honorable David M. Haws, Division Four.
- (4) All criminal cases currently assigned to the Honorable John N. Nelson, Division Five, shall continue to be assigned to Honorable John N. Nelson, Division Five.
- (5) All criminal cases currently assigned to the Honorable Maria Elena

1 Cruz, Division Six, shall continue to be assigned to Honorable Maria
2 Elena Cruz, Division Six.

3 (6) All criminal cases currently assigned to the Honorable Lisa W. Bleich,
4 Commissioner Three, shall continue to be assigned to the Honorable
5 Lisa W. Bleich, Commissioner Three.
6

7 Effective May 7, 2001, all felony criminal complaints filed in justice court
8 were ordered to be assigned to a Superior Court Division on a rotation basis in justice
9 court as set forth in paragraphs numbered (1) and (2) below.

10 "(1) The first felony complaint filed on Monday, May 7, 2001 shall
11 be assigned to Division One. Thereafter, each felony complaint
12 filed shall be assigned to the next sequentially numbered Division,
13 e.g., Division Two, then Division Three, then Division Four, and
14 starting over again with Division One.
15

16 (2) Fugitive felony complaints shall not be assigned to a Superior
17 Court Division."
18

19 **IT IS ORDERED** effective April 1, 2012, all felony criminal complaints,
20 including Fugitive felony criminal complaints, shall be assigned on a rotation basis in
21 Justice Court with the division rotation for assignment of Superior Court Cases being,
22 Commissioner Two, Division Three, Division Four, Division Six and Commissioner
23 Three.
24

25 In April, 2002, the Yuma County Attorney's Office instituted a policy of filing
26 one complaint per defendant in Justice Court which resulted in co-defendants being
27 assigned to separate Superior Court Divisions. In order for co-defendant cases to be
28 assigned to the same Superior Court Division,

1 **IT IS ORDERED** that with cases filed beginning April 1, 2012, and until further
2 order of the Presiding Judge, all felony criminal complaints filed in Justice Court shall
3 be assigned to a Superior Court Division as set forth above (Commissioner Two,
4 Division Three, Division Four, Division Six and Commissioner Three), and that co-
5 defendant cases shall continue to be assigned to the same Superior Court Division.
6
7 In order to facilitate this procedure, the Yuma County Attorney's Office shall continue
8 to file a Notice of Filing Co-Defendant Complaints when filing co-defendant cases in
9 Justice Court.

10 **IT IS ORDERED** as to cases filed beginning April 1, 2012, that if a criminal
11 case originates in a manner other than by way of a felony complaint being filed in
12 Justice Court, such as by way of a Direct Indictment, Lower Court Appeal, or Juvenile
13 Transfer, the Clerk of the Superior Court shall assign those cases as follows:
14

- 15 (1) All numbered cases, the last two digits of which number end in 00 and
16 01, to Commissioner Two;
- 17 (2) All numbered cases, the last two digits of which number end in 02 and
18 03, to Division Three;
- 19 (3) All numbered cases, the last two digits of which number end in 04 and
20 05, to Division Four;
- 21 (4) All numbered cases, the last two digits of which number end in 06 and
22 07, to Division Six; and
- 23 (5) All numbered cases, the last two digits of which number end in 08 and
24 09, to Commissioner Three.

25 **IT IS ORDERED**, effective April 1, 2012, that all pending criminal cases with
26 warrants outstanding that are currently assigned to the Honorable Mark Wayne
27
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1 Reeves, Division One; shall be reassigned to the Honorable Denise D. Gaumont,
2 Commissioner Two.

3 **IT IS ORDERED** that all pending criminal cases with warrants outstanding that
4 are currently assigned to the Honorable Larry Kenworthy, Division Three; the
5 Honorable David M. Haws, Division Four; the Honorable John N. Nelson, Division
6 Five; the Honorable Maria Elena Cruz, Division Six; and the Honorable Lisa W.
7 Bleich, Commissioner Three, shall remain as assigned to those divisions.
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9 **IT IS ORDERED**, effective April 1, 2012, and until further order of the
10 Presiding Judge, all Arraignments shall continue to be heard by the Honorable Maria
11 Elena Cruz, Division Six, on Mondays commencing at 10:00 a.m., unless the date
12 and time is rescheduled by order of the court.
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14 **IT IS ORDERED**, effective April 1, 2012, and until further order of the
15 Presiding Judge, all Motions to Review Conditions of Release shall continue to be
16 heard before the assigned Judge/Division.
17

18 **IT IS ORDERED** all defendants placed into **PROJECT S.A.F.E.** program shall
19 continued to be assigned to the Honorable Maria Elena Cruz, Division Six.

20 **IT IS ORDERED** that all pleadings, minute entries, notices and orders filed by
21 an interested party in a Superior Court case shall reflect, immediately beneath the
22 case number, the Division number to which the case has been assigned.
23

24 **IT IS ORDERED**, that all criminal cases in which a defendant was originally
25 sentenced by a judge who is active and sitting as designated in Division One,
26 Division Two, Division Three, Division Four, Division Five and Division Six, or by
27 Commissioner One, Commissioner Two or Commissioner Three, shall continue to be
28 assigned to that judge for all petitions for post-conviction relief proceedings.

IT ORDERED beginning April 1, 2012, that all criminal cases in which a defendant was originally sentenced by a Judge other than those as designated as the Honorable Denise D. Gaumont, Commissioner Two; the Honorable Larry Kenworthy, Division Three; the Honorable David Haws, Division Four; the Honorable John N. Nelson, Division Five; the Honorable Maria Elena Cruz, Division Six; and the Honorable Lisa W. Bleich, Commissioner Three, shall be assigned to divisions according to the numbering system set forth above. Such assignments shall include, but are not limited to, Petitions for Violation of Probation, Petitions for Restoration of Civil Rights, and Petitions to Modify Probation.

IT IS ORDERED, effective April 1, 2012, and until further order of the Presiding Judge, the administrative duties and responsibilities of calling and impaneling grand juries by the Superior Court in Yuma County, and hearings regarding grand jury presentments shall, in addition to the Presiding Judge, continue to be assigned to the Honorable John Paul Plante, Division Two. The Honorable John Paul Plante, Division Two, shall continue to assume the primary assignment of all matters pertaining to a grand jury requiring the attention of a Superior Court Judge in Yuma County.

IT IS ORDERED effective April 1, 2012, and until further order of the Presiding Judge, the regular criminal calendars (other than jury trials) shall be held as follows:

Comm. Two: Tuesday--8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m.
(PVCs/VOPs at 11:00 a.m.)

Division Three: Thursday—8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m.
(PVCs/VOPs at 11:00 a.m.)

Division Four: Wednesday --8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m.
(PVCs/VOPs at 11:00 a.m.)

1 Division Five: Friday—8:30 a.m. and 1:30 p.m. to 5:00 p.m.
(PVCs/VOPs at 11:00 a.m.)

2 Division Six: Friday—8:30 a.m. to Noon and 1:30 p.m. 5:00 p.m.
3 (PVCs/VOPs at 11:00 a.m.)

4 Comm. Three: Wednesday --8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m.
5 (PVCs/VOPs at 11:00 a.m.)

6 **IT IS FURTHER ORDERED**, as to cases filed prior to January 1, 2012, and
7 until further order of the Presiding Judge, the **CIVIL CASE** assignments shall
8 continue to be as follows:
9

- 10 (1) All civil cases currently assigned to the Honorable John Paul Plante,
11 Division Two, shall remain assigned to the Honorable John Paul Plante,
12 Division Two.
- 13 (2) All civil cases currently assigned to the Honorable Larry Kenworthy,
14 Division Three, shall continue to be assigned to the Honorable Larry
15 Kenworthy, Division Three.
- 16 (3) All civil cases currently assigned to the Honorable David M. Haws,
17 Division Four, shall continue to be assigned to the Honorable David M.
18 Haws, Division Four.
- 19 (4) All civil cases currently assigned to the Honorable John N. Nelson,
20 Division Five, shall continue to be assigned to the Honorable John N.
21 Nelson, Division Five.

22 **IT IS ORDERED** beginning with cases filed January 1, 2012, and until further
23 order of the Presiding Judge, that the Clerk of the Superior Court shall continue to
24 assign civil cases as follows:
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- (1) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of one (1), shall be assigned to Division Five.
- (2) All numbered cases, last two digits of which number when divided by four (4) result in a remainder of two (2), shall be assigned to Division Two.
- (3) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of three (3), shall be assigned to Division Three.
- (4) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of four (4), shall be assigned to Division Four.

IT IS ORDERED that effective April 1, 2012, and until further order of the Presiding Judge, the **PROBATE/GUARDIANSHIP CASE** assignments shall be assigned as follows:

- (1) All probate/guardianship cases currently assigned to the Honorable Mark Wayne Reeves, Division One, shall be reassigned to the Honorable Denise D. Gaumont, Commissioner Two.
- (2) All probate/guardianship cases currently assigned to the Honorable John Paul Plante, Division Two, shall continue to be assigned to the Honorable John Paul Plante, Division Two.
- (3) All probate/guardianship cases currently assigned to the Honorable Larry Kenworthy, Division Three, shall continue to be assigned to the Honorable Larry Kenworthy, Division Three.

1 (4) All probate/guardianship cases currently assigned to the Honorable Lisa
2 W. Bleich, Commissioner Three, shall continue to be assigned to the
3 Honorable Lisa W. Bleich, Commissioner Three.

4 (5) All probate/guardianship cases currently assigned to the Honorable John
5 N. Nelson, Division Five, shall continue to be assigned to the Honorable
6 John N. Nelson, Division Five.

7
8 (6) All probate/guardianship cases currently assigned to the Honorable
9 Maria Elena Cruz, Division Six, shall continue to be assigned to the
10 Honorable Maria Elena Cruz, Division Six.

11 (7) All probate/guardianship cases currently assigned to the Honorable
12 Denise D. Gaumont, Commissioner Two, shall continue to be assigned
13 to the Honorable Denise D. Gaumont, Commissioner Two.
14

15 **IT IS ORDERED** that beginning with cases filed January 1, 2012, and until
16 further order of the Presiding Judge, the **PROBATE/GUARDIANSHIP CASE**
17 assignments shall continue to be assigned as follows:
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19 (1) All probate/guardianship cases shall be assigned on a rotation basis to
20 the Honorable Larry Kenworthy, Division Three and to the Honorable,
21 John N. Nelson, Division Five with all odd numbered cases being
22 assigned to Division Three and all even numbered cases being
23 assigned to Division Five.
24

25 (2) Any probate/guardianship cases filed prior to January 1, 2012, that
26 come on before the court for hearing or review after January 1, 2012,
27 that are currently not assigned to The Honorable Denise D. Gaumont,
28 Commissioner Two, the Honorable John Paul Plante, Division Two, the

1 Honorable Larry Kenworthy, Division Three, The Honorable John N.
2 Nelson, Division Five, the Honorable Maria Elena Cruz, Division Six, or
3 the Honorable Lisa W. Bleich, Commissioner Three, shall be
4 automatically assigned on a rotation basis to the Honorable Larry
5 Kenworthy, Division Three and the Honorable John N. Nelson, Division
6 Five, with all odd numbered cases being assigned to Division Three
7 and all even numbered cases being assigned to Division Five.
8

9 **IT IS ORDERED**, until further order of the Presiding Judge, the **MENTAL**
10 **HEALTH CASE** assignments shall continue to be as follows:

- 11 (1) All mental health cases filed beginning January 1, 2012, shall be
12 continue to be assigned to the Honorable David M. Haws, Division
13 Four; and
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15 (2) Any mental health cases filed prior to January 1, 2012, that come
16 before the court for hearing or review after January 1, 2012, shall be
17 automatically reassigned to the Honorable David M. Haws, Division
18 Four.
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20 **IT IS ORDERED**, and until further order of the Presiding Judge, the
21 **SEXUALLY VIOLENT PERSON CASE** assignments shall continue to be as follows:

- 22 (1) All civil cases where a petition has been filed seeking an order of the
23 court to detain a person as a Sexually Violent Person pursuant to the
24 Sexually Violent Persons Act, ARS §§36-3701 through 36-3716, shall
25 continue to be assigned to the Honorable Larry Kenworthy, Division
26 Three; and
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- 1 (2) Any civil cases where a petition has been filed prior to January 1, 2012,
2 seeking an order of the court to detain a person as a Sexually Violent
3 Person pursuant to the Sexually Violent Persons Act, ARS §§36-3701
4 through 36-3716, that come before the court for hearing or review after
5 January 1, 2012, shall continue to be automatically reassigned to the
6 Honorable Larry Kenworthy, Division Three.
7

8 **IT IS ORDERED** that effective April 1, 2012, and until further order of the
9 Presiding Judge, the **ADOPTION CASE** assignments shall be assigned as follows:

- 10 (1) All adoption cases shall be assigned on a rotation basis to the
11 Honorable Kathryn Stocking-Tate, Commissioner One and to the
12 Honorable Mark Wayne Reeves, Division One, with all odd numbered
13 cases being assigned to the Honorable Kathryn Stocking-Tate,
14 Commissioner One and all even numbered cases being assigned to the
15 Honorable Mark Wayne Reeves, Division One; and
16
17 (2) Any adoption case filed prior to April 1, 2012, that comes on before the
18 court for hearing or review after April 1, 2012, shall be automatically
19 assigned on a rotation basis to the Honorable Kathryn Stocking-Tate,
20 Commissioner One and the Honorable Mark Wayne Reeves, with all
21 odd numbered cases being assigned to the Honorable Kathryn
22 Stocking-Tate, Commissioner One, and all even numbered cases being
23 assigned to the Honorable Mark Wayne Reeves, Division One.
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25

26 **IT IS ORDERED**, beginning April 1, 2012, and until further order of the
27 Presiding Judge, the **ELECTION CONTEST** assignments shall continue to be as
28 follows:

1 (1) All "election contest" cases shall be assigned to the Honorable John N.
2 Nelson, Division Five; and

3 (2) Division Five of the Superior Court in Yuma County shall be designated
4 the "election division" of the Superior Court in Yuma County.

5 **IT IS ORDERED** beginning April 1, 2012, and until further order of the
6 Presiding Judge, **DOMESTIC RELATIONS CASES**, except Title IV-D cases
7 addressed below, shall be assigned as follows:
8

9 (1) All domestic relations cases filed beginning January 1, 2012, shall
10 continue to be assigned to the Honorable, John Paul Plante, Division
11 Two;

12 (2) All domestic relations cases filed prior to April 1, 2012, and
13 currently assigned to the Honorable John Paul Plante, Division Two,
14 shall continue to be assigned to the Honorable, John Paul Plante,
15 Division Two;

16 (3) All domestic relations cases filed prior to April 1, 2012, and currently
17 assigned to the Honorable Mark Wayne Reeves, Division One, shall be
18 reassigned to the Honorable Denise D. Gaumont, Commissioner Two;

19 (4) All domestic relations cases filed prior to April 1, 2012, and currently
20 assigned to the Honorable Kathryn Stocking-Tate, Commissioner One,
21 shall be reassigned to the Honorable Denise D. Gaumont,
22 Commissioner Two;

23 (5) All domestic relations cases filed prior to April 1, 2012, and currently
24 assigned to the Honorable Lisa W. Bleich, Commissioner
25 Three, shall continue to be assigned to the Honorable Lisa W. Bleich,
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Commissioner Three;

- (6) All domestic relations cases filed prior to April 1, 2012, and currently assigned to the Honorable David M. Haws, Division Four, shall continue to be assigned to the Honorable David M. Haws, Division Four.
- (7) Any domestic relations cases, except Title IV-D cases addressed below, filed prior to April 1, 2012, that come on before the court for hearing or review after April 1, 2012, which are not assigned/reassigned to the Honorable John Paul Plante, Division Two, the Honorable Denise D. Gaumont, Commissioner Two, the Honorable David M. Haws, the Honorable John N. Nelson, Division Five, the Honorable Maria Elena Cruz, Division Six, or the Honorable Lisa W. Bleich, Commissioner Three, shall continue to be automatically assigned to the Honorable John Paul Plante, Division Two.
- (8) All Title IV(D) child support actions initiated beginning January 1, 2012, by the Arizona Attorney General's Office shall continue to be assigned to the Honorable Kathryn Stocking-Tate, Commissioner One; and
- (8) Any Title IV(D) child support actions initiated prior to January 1, 2012, by the Arizona Attorney General's Office, that come before the court for hearing or review after January 1, 2012, shall continue to be automatically assigned to the Honorable Kathryn Stocking-Tate, Commissioner One; and
- (9) Any Title IV(D) cases assigned as set for above, that come before the court for hearing on some issue other than child

1 support, and are not assigned/reassigned to the Honorable John Paul
2 Plante, Division Two, the Honorable Denise D. Gaumont,
3 Commissioner Two, the Honorable David M. Haws, Division Four, the
4 Honorable John N. Nelson, Division Five, the Honorable Maria Elena
5 Cruz, Division Six, or the Honorable Lisa W. Bleich, Commissioner
6 Three, shall continue to be automatically assigned to the Honorable
7 John Paul Plante, Division Two for those contested issues. These
8 hearings would include, but not be limited to, a visitation issue, a
9 custody issue, or a change of custody issue.
10

11 **IT IS ORDERED** beginning January 1, 2012, and until further order of the
12 Presiding Judge, all Title IV(D) child support actions initiated by the Arizona Attorney
13 General's Office shall continue to be heard by the Honorable Kathryn Stocking-Tate,
14 Commissioner One, on Thursdays commencing at 8:30 a.m..
15

16 **IT IS ORDERED** effective with all cases filed January 1, 2012, and until further
17 order of the Presiding Judge, all order of protection hearings shall continue to be
18 heard by the Honorable John Paul Plante, Division Two.
19

20 **IT IS ORDERED** effective January 1, 2012, and until further order of the
21 Presiding Judge, all domestic relations default actions shall continue to be heard by
22 the Honorable Lisa W. Bleich, Commissioner Three/Superior Court Judge Pro Tem,
23 on Monday afternoons at 1:30 p.m..
24


25 **IT IS ORDERED** effective April 1, 2012, and until further order of the Presiding
26 Judge, that all cases in the Juvenile Division of the Yuma Superior Court shall be
27 assigned to the Honorable Kathryn Stocking-Tate, Commissioner One, and the Mark
28 Wayne Reeves, Division One.

IT IS ORDERED effective April 1, 2012, and until further order of the Presiding Judge, that all cases of the Adult Drug Court shall be assigned to Commissioner Two and Division Six. Commissioner Two Adult Drug Court shall be heard on Fridays at 3:00 p.m. and Division Six Adult Drug Court shall be heard on Mondays at 3:00 p.m..

Notwithstanding the foregoing judicial assignments, during the absence or unavailability of any Superior Court Judge/Commissioner, another Superior Court Judge/Commissioner may be substituted in his or her place.

IT IS ORDERED that Law and Motion Day shall continue to be the first working day of each week, with proceedings being held on that day unless otherwise set by the Judge assigned to a particular case.

DATED this 7th day of March, 2012.


Honorable John N. Nelson
Presiding Judge

Copies to:

Hon. Mark Wayne Reeves
Hon. John Paul Plante
Hon. Larry Kenworthy
Hon. David M. Haws
Hon. John N. Nelson
Hon. Maria Elena Cruz
Hon. Kathryn Stocking-Tate
Hon. Denise D. Gaumont
Hon. Lisa W. Bleich
Hon. Gregory Stewart
Hon. Jorge Lozano
Hon. Russ Jones
Hon. Lynn Fazz, Clerk of the Superior Court
Margaret C. Guidero, Court Administrator
Kathy Schaben, Trial Court Administrator
Steve Hardy, Chief Adult Probation Officer
Tim Hardy, Director of Juvenile Court Services
Jon Smith, Yuma County Attorney
Michael Breeze, Yuma Public Defender
Jose de la Vara, Yuma Legal Defender
Ronald F. Jones, Conflict Administrator
Sherri L. Williams, Caseflow Manager
Yuma County Bar